FILED

MAR 13 2017

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

JUSTIN A. TOLLEFSON

Criminal No. 17-65

INFORMATION MEMORANDUM

AND NOW comes the United States of America, by its attorneys, Soo C. Song, Acting United States Attorney for the Western District of Pennsylvania, and Gregory C. Melucci, Assistant United States Attorney for said District, and submits this Information Memorandum to the Court:

I. THE INFORMATION

A four-count Information was filed against the above-named defendant for alleged violations of federal law:

COUNTS	OFFENSE/DATE	TITLE/SECTION
1-4	False Claims against the United States February 2, 2014 (Counts 1 and 2) February 3, 2014 (Count 3) February 4, 2014 (Count 4)	18 U.S.C. § 287

II. ELEMENTS OF THE OFFENSE

A. As to Counts 1-4:

In order for the crime of False Claims against the United States, in violation of 18 U.S.C. § 287, to be established, the government must prove all of the following essential elements beyond a reasonable doubt:

1. That JUSTIN A. TOLLEFSON knowingly made or presented a claim to a department or agency of the United States.

2. That the claim which was presented was a claim against the United States or a department or agency of the United States.

3. That the claim was false, fictitious or fraudulent.

4. That JUSTIN A. TOLLEFSON knew that the claim was false, fictitious or fraudulent.

1 L. Sand, J. Siffert, W. Loughlin, S. Reiss, Modern Federal Jury Instructions, Instr. 18-3 (2003).

III. PENALTIES

A. As to Counts 1-4: False Claims against the United States (18 U.S.C. § 287):

1. Imprisonment of not more than 5 years (18 U.S.C. § 287);

2. A fine not more than the greater of:

(a) $250,000 (18 U.S.C. § 3571(b)(3));

or

(b) an alternative fine in an amount not more than the greater of twice the gross pecuniary gain to any person or twice the pecuniary loss to any person other than the defendant, unless the imposition of this alternative fine would unduly complicate or prolong the sentencing process (18 U.S.C. § 3571(d));

3. A term of supervised release of not more than three (3) years (18 U.S.C. § 3583); and,

4. Any or all of the above.

IV. MANDATORY SPECIAL ASSESSMENT

A mandatory special assessment of $100.00 must be imposed at each count upon which the defendant is convicted, pursuant to 18 U.S.C. § 3013.

V. RESTITUTION

Restitution may be required in this case as to Counts 1-4, together with any authorized penalty, as part of the defendant's sentence pursuant to 18 U.S.C. §§ 3663, 3663A, and 3664.

VI. FORFEITURE

Not applicable in this case.

Respectfully submitted,

SOO C. SONG
Acting United States Attorney

GREGORY C. MELUCCI
Assistant U.S. Attorney
PA ID No. 56777